

DOCKET NUMBER: 95176694-003001/64228-00003USPT
PATENT

REMARKS

Status of the Claims

After amendment, claims 1-7, 10-24, and 49-72 are pending after amendment. Claims 3, 12, 23, 24, 51, 54, 58, and 60-71 have been amended, claims 8-9 and 25-48 have been canceled. Claims 1-2, 4-7, 10-24, 49-50, and 52-53 have been allowed. Claims 3, 12, 51, 54, 55, and 58-71 currently stand rejected. Claims 56, 57, and 72 have been objected to.

Summary of the Substance of Telephonic Interview with the Examiner on November 8, 2005

Amendments to clarify the language of claims were discussed by Applicants' representative and Examiner Ruth Davis.

Rejection of Claims 3, 12, 51, 54, 55, and 58-71 Under 35 U.S.C. §112, Second Paragraph

Claims 3, 12, 51, 54, 55, and 58-71 were rejected under 35 U.S.C. §112, second paragraph. The term "or artificial and natural life forms" was found to be unclear in claims 3 and 51, and the phrase has been deleted making the claims allowable.

The phrase "animal derivative" in claims 12 and 60, which was found to be unclear has been deleted from the claims.

Claims 54, 58, and 60-69 have been amended to make it clear that the recited polymers are in addition to the claimed pluronic polymer. Because claims 55 and 59 depend from claims 54 and 58, which have been amended to be allowable, these claims should now also be allowable. Claims 70 and 71 were also found to be unclear and have been amended to make their language more clear. Similarly, claims 23 and 24 have been amended in a manner corresponding to that of claims 70 and 71. Applicant respectfully requests that the rejection of claims 3, 12, 51, 54, 55, and 58-71 be withdrawn.

BEST AVAILABLE COPY

Objection to Claims 56, 57, and 72

Claims 56, 57, and 72 were objected to as being dependent upon a rejected base claim, indicating that the claim would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Since these claims depend from claims that have been amended to be allowable or that have already been deemed allowable (e.g., claim

DOCKET NUMBER: 95176694-003001/64228-00003USPT
PATENT

56 depends directly from claim 49, which has been allowed), the claims objected to should now be allowable.

Conclusion

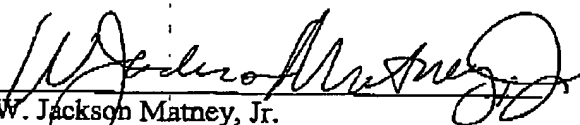
In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response; please charge any deficiency in fees or credit any overpayments to Deposit Account No. 50-3420 (95176694-003001).

Respectfully submitted,

Baker & McKenzie LLP


W. Jackson Matney, Jr.
Reg. No. 39,292
Stephanie A. Wardwell, Ph.D.
Reg. No. 48,025

Date: November 9, 2005
815 Connecticut Avenue, NW
Washington, DC 20006
202-452-7000
202-452-7074